COURTS ADMINISTRATION SERVICE

2009-2010

Departmental Performance Report

Honourable Rob Nicholson P.C., Q.C., M.P.
Minister of Justice and Attorney General of Canada

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Acting Chief Administrator's Message

As the acting Chief Administrator for the Courts Administration Service, (the "Service") it is my distinct pleasure to present the Departmental Performance Report (DPR) for the fiscal year ended March 31, 2010. The Service provides administrative services to four federal superior courts of law. Through its management and governance structure, the Service ensures that safeguards are in place to maintain the independence of the judiciary from the executive branch of government while ensuring accountability to Parliament for the spending of funds.

Our operational priority for 2009-2010 was to improve service delivery to the clients and stakeholders of the Service, both internal and external. In that regard, the Service conducted a survey of the judiciary which confirmed a generally high level of satisfaction, and highlighted areas for improvement. These latter are being addressed through an action plan. As well, the Service moved forward in its development of a Court Records Management System (CRMS) to support the business of the four courts, despite resource pressures that delayed progress. The move to electronic capture of court documents continued, recognizing its importance for overall service improvement.

Our management priority was to strengthen internal management practices to make better informed decisions. A new operational planning exercise, a corporate risk profile and a related integrated risk management plan were rolled out. We also focused on improved planning for people management, integration of business and human resource planning and increased communication throughout the Service. Recent Management Accountability Framework (MAF) exercises and Threat and Risk Assessments (TRAs) have highlighted areas for attention, and the Service is committed to responding appropriately.

These various initiatives have enabled management to identify, analyze and address the many new challenges facing the organization. In particular, significant financial pressures that emerged during the year required a thorough and ongoing review of priorities. In reallocating its available resources, the Service sought to improve efficiency while maintaining the quality of the core services it delivers to the Courts and the Canadian public. To address these challenges the Service continues to work with central agencies and other partners, while consulting frequently with the members of the judiciary, whose independence it protect.

I would like to acknowledge the efforts of our employees whose commitment and dedication to continued provision of high quality services have allowed us to maintain our reputation for excellence notwithstanding the difficult financial challenges we faced in 2009-2010. I look forward to working with the four Chief Justices and being a part of the process of continued development, improvement and management of change as the Service moves forward.

Suzanne Labbé

Section I: Departmental Overview

Raison d'être and Responsibilities

The Courts Administration Service was established on July 2, 2003 with the coming into force of the *Courts Administration Service Act*, S.C. 2002, c. 8 (the Act). The Act served to amalgamate the former registries and corporate services of the Federal Court of Canada and the Tax Court of Canada. The Courts were created by the Parliament of Canada pursuant to its authority under section 101 of the *Constitution Act, 1867* to establish courts "for the better administration of the Laws of Canada."

The role of the Service is to provide effective and efficient registry, judicial and corporate services to four superior Courts of record – the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada. Judicial independence is enhanced through the Act by placing the judiciary at arm's length from the federal government while ensuring greater accountability for the use of public money.

The provision of administrative and registry services by an entity at arm's length from the executive branch of the government is internationally recognized as a best practice.

The Service recognizes the independence of each Court in the conduct of its affairs and aims to provide each court with high quality administrative and registry services.

The Functions of the Service

- providing the judiciary, litigants and counsel with services relating to court hearings;
- informing litigants about rules of practice, court directives and procedures;
- maintaining court records;
- acting as liaison between the judiciary, the legal profession and lay litigants;
- processing documents filed by or issued to litigants;
- recording all proceedings;
- serving as the entity where individuals seeking enforcement of decisions made by the courts and federal administrative tribunals, such as the Canada Industrial Relations Board and the Canadian Human Rights Tribunal, may file pertinent documents;
- providing judges, prothonotaries and staff with library services, appropriate facilities and security; and
- providing support services to the judiciary.

To facilitate accessibility to the Courts by parties, the Service has approximately 610 employees in ten (10) permanent offices in Nova Scotia, New Brunswick, Quebec, Ontario, Manitoba, Alberta and British Columbia. In addition, registry services and courtrooms in other locations are provided through agreements with provincial and territorial partners in Newfoundland and Labrador, Prince Edward Island, New Brunswick, Saskatchewan, Nunavut, the Northwest Territories and Yukon.

The Courts We Support

Federal Court of Appeal

The **Federal Court of Appeal** is a national court which regularly sits across Canada, provides its services in both of Canada's official languages and administers the two legal systems of the common law and the civil law. The Federal Court of Appeal has jurisdiction to hear appeals of judgments and orders, whether final or interlocutory, of the Federal Court and the Tax Court of Canada. It may also review decisions of certain federal tribunals pursuant to section 27 of the *Federal Courts Act* and hear appeals under other acts of Parliament. Pursuant to section 5(1) of the *Federal Courts Act*, the full judicial complement of the Federal Court of Appeal consists of the Chief Justice and twelve judges. For further information on the Federal Court of Appeal, please refer to http://www.fca-caf.gc.ca.

Federal Court

The **Federal Court** is Canada's national, bilingual and bijural trial court which hears and decides legal disputes arising in the federal domain. It is the successor to the Exchequer Court of Canada established in 1875. The jurisdiction of the Federal Court derives primarily from the *Federal Courts Act*, though over 100 other federal statutes also confer jurisdiction on the Court. The Federal Court has original, but not exclusive, jurisdiction over proceedings by and against the Crown (including Aboriginal law claims), and proceedings involving admiralty law and intellectual property law. It has exclusive jurisdiction to hear certain national security proceedings as well as applications for judicial review of the decisions of most federal boards, commissions and tribunals. This includes applications for judicial review of decisions of the Immigration and Refugee Board. The full judicial complement of the Federal Court consists of the Chief Justice and 32 other full-time judges as well as six prothonotaries. For further information on the Federal Court, please refer to http://www.fct-cf.gc.ca.

Court Martial Appeal Court of Canada

Courts martial are military courts established under the *National Defence Act* which hear cases under the *Code of Service Discipline*. The **Court Martial Appeal Court of Canada** hears appeals of decisions rendered by the courts martial. Members of this Court are Judges of the Federal Court of Appeal and the Federal Court and any additional judges of a superior court of criminal jurisdiction who are appointed by the Governor in Council. The Court currently consists of a Chief Justice and 59 judges. For further information on the Court Martial Appeal Court of Canada please refer to http://www.cmac-cacm.ca.

Tax Court of Canada

The **Tax Court of Canada** is a superior court of record which has exclusive original jurisdiction to hear appeals and references under fourteen acts of Parliament. Most of the appeals filed with the Court are on matters arising under the *Income Tax Act*, Part IX of the *Excise Tax Act* (GST), Part IV of the *Employment Insurance Act* and Part I of the Canada Pension Plan. The Court was established in 1983 pursuant to the *Tax Court of Canada Act* with a view to dispensing justice in tax matters. Under section 4(1) of the *Tax Court of Canada Act*, the court consists of a Chief Justice, an Associate Chief Justice and not more than 20 other judges. For further information on the Tax Court of Canada, please refer to http://www.tcc-cci.gc.ca.

Strategic Outcome(s) and Program Activity Architecture (PAA)

COURTS ADMINISTRATION SERVICE

STRATEGIC OUTCOME

The public has timely and fair access to the litigation processes of the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada

THREE PROGRAM ACTIVITIES

Registry Services

Federal Court of Appeal and Court Martial Appeal Court of Canada Registry Operations

Federal Court Registry Operations

Tax Court of Canada Registry Operations

Regional Registry operations – Quebec & Atlantic, Ontario, and Western

Modernization

Judicial Services

Judicial Executives Services

Judicial Assistants Services

Law Clerks Program

Library Services

Jurilinguistic Services

Chauffeurs and Court Attendants Services

Translation and Distribution Services

Corporate / Internal Services

Management and Oversight Services

Communications Services

Legal Services

Human Resources Management Services

Financial Management Services

Information Management Services

Information Technology Services

Real Property Services

Materiel Services

Acquisition Services

Travel and Other Administrative Services

Summary of Performance

2009–2010 Financial Resources

($ Millions)

Planned Spending	Total Authorities	Actual Spending
61.4	67.2	66.2

2009–2010 Human Resources (Full-Time Equivalent - FTE)

Planned	Actual	Difference
630	609	21

The most significant variances between total authorities and planned spending are due to additional funds received for collective agreements ($2.1M), paylist requirements ($1.6M), and the operating budget carry forward ($2.2M).

The main variance between the total authorities and actual spending is due to a lapse of about $0.9M in operating budget. The lapse was principally due to translation and IT related items that were ordered but not delivered by fiscal year-end, as well as collective agreement payments received during the year but only payable in 2010-2011. The Service was informed late in the fiscal year that they would not receive Management Reserve funding for 2009-2010. As a result, the Service postponed staffing actions and also stopped certain O&M activities and projects to stay within the authorities granted.

Strategic Outcome

The public has timely and fair access to the litigation processes of the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada

Performance Indicators	Targets	2009–10 Performance
Satisfaction rate among parties participating in the judicial process at CAS	To be determined based on baseline results Improvements in subsequent years	Initial internal satisfaction survey of Judges and Registry employees conducted Satisfaction rate generally high with respect to knowledge and professionalism of employees; accuracy of document preparation and processing can be improved in some areas Action plan to address results of the survey has been developed and implemented All the significant preparatory work for the conduct of an external survey of clients completed in 2009-2010; survey to be conducted in 2010-2011 if resources allow

($ Millions)

Program Activity	2008–09 Actual Spending	2009–10[1]				Alignment to Government of Canada Outcome
		Main Estimates	Planned Spending	Total Authorities	Actual Spending[2]	
Registry Services	26.4	26.3	26.3	28.8	26.1	The Service supports the Judicial Branch of the Government of Canada. As such, its contributions affect several of the broad outcome areas including economic affairs, social affairs, international affairs, and government affairs.
Judicial Services	16.1	19.3	19.3	21.1	20.4	
Internal Services	25.6	15.5	15.8	17.3	19.7	
Total	68.1	61.1	61.4	67.2	66.2	

[1] Commencing in the 2009-2010 Estimates cycle, the resources for the Program Activity "Internal Service" is displayed separately from other program activities; Internal Services is no longer distributed among the remaining program activities, as was the case in previous Main Estimates. This has affected the comparability of spending and FTE information by Program Activity between fiscal years.

[2] Two significant changes in actual spending between 2009-2010 and 2008-2009 are notable:
1) $2.8M was realigned from internal services to judicial services for the translation function;
2) The Service spent $1.6M in 2008-2009 to consolidate certain of their operations from 90 Elgin to 90 Sparks.

Contribution of Priorities to Strategic Outcome

Operational Priorities	Type	Status	Linkages to Strategic Outcome
Improve service delivery, across the three Program Activities, to CAS clients and stakeholders, both internal and external	New Priority Previously, the Service had as a priority the "Modernization of our business processes and registry services operations"; this new priority is broader, applying to the three Program Activities.	Mostly Met The Court Records Management System progressed with rollout of Phase II; work on business requirements for Phase III continued. Plan to improve and expand electronic filing was approved further to an evaluation study and initial elements implemented. Ongoing development of framework for integrated technology-enabled registry and courtrooms; limited implementation due to financial constraints. Survey of judiciary and staff conducted; action plan developed and implemented. Draft Registry service standards monitored and operational improvements made. Streamlining registry processes for each court has started with significant advancement expected in 2010-2011. Judicial support processes for issuance, posting and translation of decisions were centralized and redesigned resulting in significantly improved efficiency and timeliness. Increased use of electronic subscriptions and publications have allowed greater and quicker access to library resource materials by the judiciary.	This priority contributes directly to the sole Strategic Outcome of the Service: *The public has timely and fair access to the litigation processes of the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada.*

Management Priorities	Type	Status	Linkages to Strategic Outcome(s)
Strengthening internal management practices	New Priority	Mostly Met Internal management practices reviewed through the lens of the Management Accountibility Framework exercise. Implemented a Corporate Risk Profile, and a formal priority-setting exercise. Developed and implemented an integrated human resource and business planning model. Launched an integrated operational planning process. Instituted a process of upward feedback from staff, and implemented a formal plan to address deficiencies noted in the 2008 Public Service Employee Survey. Threat & Risk Assessments on key areas of the Service's operations were undertaken, and business cases prepared to address gaps.	This priority contributes directly to the sole Strategic Outcome of the Service: *The public has timely and fair access to the litigation processes of the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada.*

Risk and Opportunity Analysis

As indicated in the 2009-2010 *Report on Plans and Priorities* (RPP), the Service invested significant time and energy in its operational planning and risk management efforts over the course of the year. It has developed a Corporate Risk Profile for the organization, a key step in the implementation of an Integrated Risk Management Plan. This important document strengthened priority-setting, operational planning and budget allocation exercises for the upcoming year that will ensure the limited resources available are directed to activities that support our core business and certain pressing areas as these resources allow.

Through the planning and risk identification exercises, it became very evident that the Service is at a crossroads with respect to balancing reduced resources, and the need to address significant risk while at the same time taking advantage of opportunities. Specific areas where significant risks existed were analyzed in detail and high-level frameworks for managing these areas were established. This analysis formed the basis for the development of formal business cases for additional funds to address:

- physical and IT security, including accommodation issues;
- enabling technologies and related service delivery improvements; and
- a permanent source of funding for certain unfunded judicial positions.

Unfortunately the Service was not successful in obtaining any additional funding for these pressures through any mechanism, despite working closely with central agencies and other partners to put the business cases forth. The loss of certain temporary funding coupled with the requirement to absorb incremental salary increases for employees in the upcoming year will have a significant impact on the Service. The Service will continue to reallocate resources internally, however there will be an impact on key projects such as the Court Records Management System (CRMS) and integrated, technology enabled courtrooms for the four courts.

The 2009-2010 RPP identified challenges and related opportunities with respect to the achievement of its strategic outcome. These are explicitly addressed below.

Accommodation, Physical and Network Security

The Service has highlighted for a number of years the benefits and efficiencies that would result from the provision of a single point of service for clients of the courts in the National Capital Region as envisaged in its enabling legislation. There are advantages with respect to courtroom design, utilization and security, implementation of new technologies, access by the public, efficiency of internal operations and employee management and development.

More significantly the physical security of the judges, employees and other parties participating in court hearings can be better assured in a single facility tailored to security requirements. Threat and risk assessments were undertaken which underscore this reality and which reinforced and assisted in the development of a National Security Strategy for the Service and the courts to ensure a consistent approach to the use of access control and protective equipment and the presence of adequately trained security guards across the country.

The Service continues to conduct its business from five (5) separate buildings in the NCR despite the fact that the Thomas D'Arcy McGee (TDM) building has been designated by Public Works and Government Services Canada as its long-term accommodation solution. As noted, a detailed business case addressing physical and operational security included the rationale for the move of certain groups of employees to TDM and the

design and construction of more efficient and secure courtrooms. Current financial resources do not allow the Service to move beyond the planning stages of this initiative.

Changing Technology and Client Expectations

This is an area of both risk and opportunity for the Service and the courts. The finalization of the common CRMS for the four courts is one of the main priorities of the Service. This system is critical in order to enable the courts to access, share and manage files in a systematic and centralized fashion, and is the foundation for the integration of other related technologies to support the concept of "e-courtrooms" and the move to complete digitization of court files. An analysis of all these enabling technologies was undertaken and a formal business case was developed to address current gaps and put the Service in a position to take advantage of the significant opportunities that exist.

As these efforts to secure resources did not bear fruit, the Service is in a very difficult position with respect to related projects including the CRMS, digital audio recording, document, image and evidence management solutions, electronic filing and capture of documents and computer equipment and connectivity in courtrooms – all of which require investment of significant funds in order to move forward. The analyses have been done and the plans are in place, but the Service cannot move forward until resources become available.

All parties to the judicial process – judges, lawyers, litigants and registry staff - have expectations with respect to the modernization of operations and introduction of new technologies which are not being met as the four federal courts fall behind similar institutions in other jurisdictions in Canada.

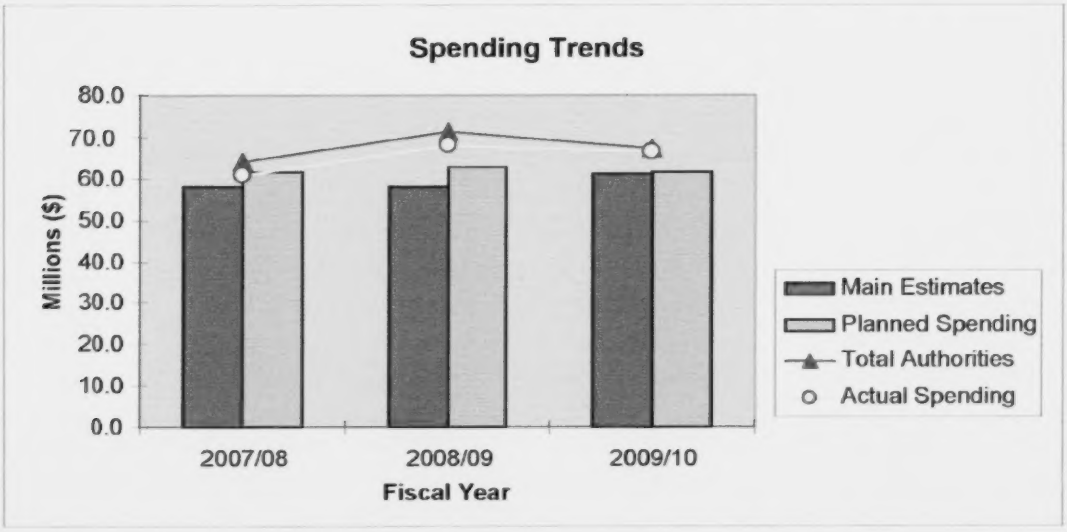
Accountability and Modern Management

The Service identified in the 2009-2010 RPP its objective of strengthening and maintaining strong internal management practices in order to meet its obligations and accountabilities to Parliament, central agencies and the public. It also planned to improve the information available to make sound planning and resource allocation decisions.

The Service has successfully developed a Corporate Risk Profile and implemented an integrated operational planning exercise with related budget allocation processes for the upcoming year. These exercises have provided a high-level, strategic view of where the Service is and aims to be, balanced with the reality of reduced resources. The Service is at a crossroads, at a point of ever-increasing expectations with respect to security, technology and service delivery while in an operating context of fiscal restraint and competing demands for scarce funds.

As a result, senior management focused its energies on the analysis of priorities and risks to develop frameworks to move forward in certain areas. The most pressing initiatives were examined at a more granular level including threat and risk assessments. Formal business cases were drawn up to address gaps and provide options. In spite of the fact that efforts to secure funds have been unsuccessful to date, the Service will continue to explore other avenues for funding and move forward once it becomes available.

Expenditure Profile



The decrease in the Total Authorities from 2008-2009 to 2009-2010 is mainly due to:

- The Service received Program Integrity Funding ($2.0M) in 2007-2008 and 2008-2009; this funding was not approved for 2009-2010 resulting in the decrease in Total Authorities.
- 2008-2009 saw a one-time relocation ($1.3M) of certain operations of the Service from 90 Elgin St. to 90 Sparks St. It should be noted that the Service reallocated an additional $0.3M of funds internally to complete this project.

Voted and Statutory Items

($ Millions)

Vote # or Statutory Item (S)	Truncated Vote or Statutory Wording	2007–08 Actual Spending	2008–09 Actual Spending	2009–10 Main Estimates	2009–10 Actual Spending
30	Operating expenditures	54.6	61.9	55.0	59.3
(S)	Contributions to employee benefit plans	6.0	6.2	6.1	6.9
	Total	60.6	68.1	61.1	66.2

Section II: Analysis of Program Activities By Strategic Outcome

Strategic Outcome

The public has timely and fair access to the litigation processes of the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada

Program Activity by Strategic Outcome

Program Activity 1:
Registry Services

Program Activity Description

The Registry Services Branch provides all operational and registry functions necessary for the smooth and efficient functioning of the Federal Court of Appeal, the Federal Court, the Court Martial Appeal Court of Canada and the Tax Court of Canada. Three Registrars, (there is only one registrar for both the Federal Court of Appeal and the Court Martial Appeal Court of Canada) and three Regional Directors General are responsible for ensuring proper court records management and adequate operation of the litigation processes of the courts and access to these by litigants.

The Branch provides registry services through ten points of access across Canada and has negotiated Memoranda of Understanding with provincial and territorial bodies for the receipt of court documents and use of courtrooms in eight additional locations.

The Branch also includes a Modernization directorate that supports all of Registry Services by working closely with Information Technology staff to develop electronic functionalities and equipment to improve court operations and to eventually implement complete electronic files for all courts. This group is also responsible for reviewing and harmonizing registry processes, for drafting service standards and assessing the performance of the different offices and providing specialized registry training to operational staff.

Finally, the Registry Services Branch includes a separate unit composed of senior and experienced staff who are responsible for the quasi-judicial function of assessment/taxation of costs awarded to parties.

Program Activity: Registry Services					
2009–10 Financial Resources ($ Millions)			**2009–10 Human Resources (FTEs)**		
Planned Spending	**Total Authorities**	**Actual Spending**	**Planned**	**Actual**	**Difference**
26.3	28.8	26.1	307	292	15

Expected Results	Performance Indicators	Targets	Performance Status	Performance Summary
Awareness and understanding of the litigation processes in	Satisfaction rate regarding the quantity and quality of	To be determined based on baseline results Improvements in	Mostly Met	Internal satisfaction survey of Judges and Registry

order to ensure that the public and parties have access to the Courts.	information products.	subsequent years		employees conducted Satisfaction rate generally high with respect to knowledge and professionalism of employees; accuracy of document preparation and processing can be improved in some areas Action plan to address results of the survey has been prepared The significant preparatory work for the conduct of an external survey of clients has been completed in 2009-2010 and the survey will be conducted in 2010-2011 if resources allow
Access to the Courts through decentralized registry services	Number of recorded entries per region Number of hearings per region	To be determined based on baseline results Improvements in subsequent years	Mostly met	Baseline information was collected in 2009-2010; monitoring and reporting against those results to begin in 2010-2011
Complete files at the time of hearings.	Satisfaction rate of the judiciary and clients with respect to the preparation of files by the registry before the hearing	To be determined based on baseline results Improvements in subsequent years	Mostly met	Satisfaction rate of the judiciary with respect to completeness of files generally high Particular concerns within certain areas noted; to be addressed through the aforementioned action plan

Performance Analysis

Progress continued with respect to the development of a Court Records Management System (CRMS) to support the business of the four courts. Through the operational planning and risk management exercises, this project was highlighted as the main priority for the Service. However, the significant financial constraints facing the Service meant that limited resources were available to dedicate to this critical initiative. The business requirements for the final phases are in the process of being defined, and the Service reallocated resources internally as much as possible in order to continue the essential development work required.

A formal third-party evaluation of different approaches to electronic filing of documents was conducted in 2009-2010, which considered existing functionality as well as systems in other courts in Canada and abroad. Senior management has approved a plan to move forward with a single, in-house solution, as resources become available, with a view to improving e-filing functionality to support the continued growth in this area that was noted in last year's DPR.

Initial meetings between business and IT experts within the Service and a committee of judges concerned with technology matters were held to discuss the vision for implementing integrated, technology-enabled courtrooms across the country. Significant investment of funds is required to support the concept, funding which was not and is not currently available to the Service. The outline of a plan to move forward has been developed and will be pursued more fully as resources become available.

As noted in the table above, an internal satisfaction survey of the judiciary and Registry employees was conducted in 2009-2010. The satisfaction rate within the judiciary was generally high with respect to the support provided by the Registry. As well, it should be noted that a very small number of complaints was received during the year with regard to the quality of Registry services. An action plan to address the results of the survey and certain opportunities for improvement has been developed and implemented. A formal survey of external clients by a third party will be conducted in 2010-2011, resources permitting; the rigorous preparatory work required for such a public opinion survey was undertaken in 2009-2010 involving consultations with the Privy Council Office (PCO) and Public Works and Government Services Canada (PWGSC).

Progress has been made on the development of common registry procedures across the country for each one of the four courts. The draft service standards were monitored and adjusted as required over the course of the year and the results used to make necessary operational adjustments. The Registry will be consulting further with its clients on the service standards in the upcoming year prior to formal implementation.

Lessons Learned

The development of the CRMS is a significant shared initiative of the business line (the Registry) and the Information Technology unit which requires rigorous documentation of business requirements in order to ensure proper systems development. This relationship is key, and the Service has redoubled its efforts to ensure that requirements are clearly defined and that the ultimate functionality of the new system meets the needs of the end users.

The formal planning and risk management exercises undertaken by the Service during the reporting period have confirmed that the successful rollout of this key project is a fundamental priority as it addresses a significant risk to the organization. A formal business case was prepared with a view to addressing key gaps and taking advantage of significant opportunities with respect to technology-enabled courtrooms and the infrastructure required for efficient electronic document management, storage and

retrieval. Attempts to secure additional funding to support this initiative have not been successful, and the ultimate delivery date of these key technologies continues to be delayed due to a lack of resources.

Benefits for Canadians

The provision of efficient and timely registry services to Canadians facilitates their access to the judicial system. Parties appearing before the Courts – be they counsel, agents or members of the general public – expect high-quality, technology-enabled services in order that their case may be heard and disposed of with minimum effort and delay. The Registry provides information related to procedures, document receipt, file creation and maintenance, scheduling of hearings, in-court support, and preparation and issuing of decisions.

Program Activity 2:

Judicial Services

Program Activity Description

The Judicial Services Branch provides direct support to all the Judges through the efforts of judicial assistants, law clerks, jurilinguists, chauffeurs and court attendants, and library personnel. The services provided include research, translation and distribution, revision, editing, and linguistic and terminological advice, the object of which is to assist the judges in preparing their judgments and reasons for judgment.

Program Activity: Judicial Services					
2009–10 Financial Resources ($ Millions)			**2009–10 Human Resources (FTEs)**		
Planned Spending	**Total Authorities**	**Actual Spending**	**Planned**	**Actual**	**Difference**
19.3	21.1	20.4	196	169	27

Expected Results	Performance Indicators	Targets	Performance Status	Performance Summary
Judges have the tools and resources they need to perform their functions	Satisfaction rate of judges concerning the services provided	To be determined based on baseline results Improvements in subsequent years	Mostly met	Regular scheduled meetings with the judiciary indicate a generally high level of satisfaction with respect to the quality of work and professionalism of staff; reduction in time taken to staff vacant positions was noted A significant number of judicial appointments led to challenges in ensuring direct support to new judges

				Significant improvements made to the process for the issuing, translation, posting, and distribution of judicial decisions
Members of the bar, key stakeholders and the public receive information concerning the status of proceedings, judgments rendered and court operations	Demonstration of interest on the part of the groups concerned: presence at open houses, visits to Web site and number of requests for brochures	To be determined based on baseline results Improvements in subsequent years	Mostly met	Court information brochures revised, with a new brochure produced for the Court Martial Appeal Court of Canada Tax Court of Canada website completely redesigned and launched including online video for the benefit of self-represented litigants
Establishment of a communications network with members of the bar and key stakeholders in order to understand their concerns	Number of meetings Number of recommendations Number of participants	To be determined based on baseline results Improvements in subsequent years	Met	Number of meetings of key liaison committees of the courts maintained Open houses conducted for each court

Performance Analysis

The Judicial Services Branch made further significant improvements to the process for translating, posting, and distribution of judicial decisions which was outlined in the 2008-2009 DPR. A single unit within the Branch is now responsible for this overall process, and has worked closely with colleagues in the Registry and Internal Services Branches to ensure maximum efficiency and timeliness. In particular, concerns with respect to the timely posting of translations of decisions have been examined and are being addressed as resources permit.

The Law Clerk Program provides an opportunity to soon-to-be and recent graduates of law schools in Canada to apply for positions as law clerks to judges; they may also be called upon to undertake research for deputy judges and prothonotaries. Approximately 55 law clerks are employed annually by the Service, generally for a one-year period to meet their articling requirements. Under the direction of members of the judiciary, who may act as principals for articling purposes, law clerks prepare case summaries, research questions of law and prepare detailed memoranda on facts and legal issues.

The process by which the Service hires such Law Clerks has been improved in recent years. Letters of offer are issued in a more timely manner in order to compete with other

potential employers in the legal field. In addition, court articling opportunities have been better promoted in Canadian universities, in part through regular visits to law faculties by individual judges of the courts. Exit surveys and interview processes have also been implemented to obtain from the law clerks at the end of their term feedback on their experience.

The library provides resource materials for the judiciary and those that support their activities. The review of the policy on library collections began in 2009-2010 with a focus on the largest local office collections. With changing demographics, judges and employees increasingly make use of electronic collections and research tools, and it is anticipated that the number of hard-copy subscriptions can be reduced. This would result in reduced costs for those services permitting funds to be reinvested in the improvement of the quality and diversity of electronic services. In addition, agreements and contracts with external providers and partnerships with other libraries will support this concept. Consultation with the Judges' Library Committee throughout the revision process has been ongoing. An agreement with Carswell for access to WestLaw Canada arrived at in February 2010 will provide increased electronic access in 2010-2011. Upgrades to the integrated library management system will proceed in the upcoming year, improving access and record-keeping for library collections. Negotiations are proceeding with other library services for additional reciprocal arrangements.

Lessons Learned

A formal evaluation of the level of prothonotary support to the Federal Court was undertaken with a view to supporting the six existing positions and two additional positions requested by the Chief Justice of that Court. Case management of Federal Court files, which is supported by the activities of the prothonotaries, has increased exponentially in the Federal Court over the years. The Service must fund these positions though it has no control over the appointments and the Service has never received permanent funding from the centre for four of the six existing positions. A business case was developed to address this gap, however efforts to secure additional resources have not borne fruit. Without a source of funding, the Service has had to reallocate resources from its core operations to support these prothonotaries as well as Deputy Judges.

Benefits for Canadians

Judicial Services provides a variety of services and direct support to the judges of the four Courts. These include administrative support, library services, legal research, chauffeurs and court attendants, and distribution, translation and revision of judicial decisions. The smooth functioning of the judiciary and the ability of judges to hear and dispose of cases in a timely and efficient manner is key to a well-functioning judicial system. The Service works closely with the judges to ensure that their needs are met in order that they can devote their time and energy to hearing matters and rendering decisions, for the benefit of litigants.

Program Activity 3: Internal Services

Program Activity Description

Internal Services are groups of related activities and resources that are administered to support and enable the needs of programs and other corporate obligations of an organization. These groups are: Management and Oversight Services; Communications Services; Legal Services; Human Resources Management Services; Financial Management Services; Information Management Services; Information Technology Services; Real Property Services; Materiel Services; Acquisition Services; and Travel and Other Administrative Services. Internal Services include only those activities and

resources that apply across an organization and not those provided specifically to a program.

The mandate of the Courts Administration Service is to provide effective and efficient registry and judicial services to the four federal superior Courts of record; the internal services provided are therefore purely operationally driven. Services that directly support the courts and registry operations include technology and videoconferencing support, records management, facilities and security for courtrooms and the judiciary, specialized equipment and supplies, and mail and messenger services. Many other services provide important indirect support to the functioning of these operations.

Program Activity: Internal Services					
2009–10 Financial Resources ($ Millions)			2009–10 Human Resources (FTEs)		
Planned Spending	Total Authorities	Actual Spending	Planned	Actual	Difference
15.8	17.3	19.7	127	148	21

Performance Analysis

Human Resources

During 2009-2010, the Human Resources Division continued to develop comprehensive learning strategies for employees and talent management of executives, moving ahead with implementation as rapidly as resources permitted. The 2009-2011 Diversity Action Plan was approved by the Diversity Consultation Committee and the Executive Committee of the Service and its implementation proceeded throughout 2009-2010. The HR Online system, which provides for online submission and approval of employee leave requests, was implemented in cooperation with the IT group.

Security and Accommodation

The physical security of the judiciary and of the parties appearing at hearings or at the Registry counters continued to be a primary concern. Threat and risk assessments (TRAs) of key facilities were undertaken to inform the development of a National Security Strategy and a National Capital Region Accommodation Strategy, both of which were completed in 2009-2010. This work enabled the Service to prepare a comprehensive business case that identified and addressed risks and gaps related to physical security. The case dealt specifically with security requirements for facilities, equipment and resources nation-wide, and with the accommodation needs of the Service and the courts in the National Capital Region.

While initial attempts to secure additional funding for this priority were unsuccessful, the Service will continue to work with central agencies and other partners to develop appropriate solutions to meet the security and accommodation needs of the courts and the Service, and to strengthen the business continuity program.

Finance and Contracting Services

During 2009-2010, the Service continued to develop its capacity for planning, budgeting and analysis, as well as for providing financial information for the use of Parliamentarians and government agencies. An important initiative was the successful implementation of a Financial Dashboard that assists managers in financial and strategic decision-making.

The contracting function was strengthened through expanded efforts to inform, guide and assist staff regarding the acquisition of both goods and services for the organization.

During 2009-2010, the newly created Contract Review Committee continued to ensure that rules, regulations and best practices were followed.

Information Management and Information Technology

The IM/IT Division continued to support the business lines in developing and rolling out the improved Court Records Management System (CRMS), at the same time providing ongoing Information Management and Technology services to the Courts, the judiciary, the Registry and the administrative functions of the Service.

As noted in the Risk Analysis section of this report, the continued use of outdated legacy systems poses significant challenges with respect to maintenance and incompatibility. It also creates serious risks of disruption in service to the courts and to Canadians. In addition, the Service undertook a complete threat and risk assessment of the IT network infrastructure. This assessment revealed many risks and weaknesses in critical areas, again exposing the courts to potential service disruption. A work plan was developed to address the gaps thus identified; it showed that the necessary replacement and upgrading of hardware, software and databases would take about two years.

Purchasing, configuring and implementing new technologies in all of these areas will require significant resources. Maintaining and improving support for the courts and their registry operations, however, is critically dependent on this effort, as is avoiding serious risks of interruption in service or loss of information critical to fulfilling the courts of record role. Therefore, business cases are being developed to demonstrate the opportunities that could be realized in terms of efficiencies, benefits and risk mitigation through investments in accelerated CRMS development as well as in the strengthening of the overall network infrastructure of the Service to rectify its many significant deficiencies.

Planning and Risk Management

As noted throughout this document, considerable progress has been made with respect to risk management, operational planning, resource allocation and the development of high-level frameworks to address key challenge areas for the Service. The most significant areas include strengthening IT and physical security (including accommodations), and making improvements to enabling technologies and other service-delivery platforms. In addition, the Service accords high priority to securing permanent funding for certain judicial positions, the costs of which the organization is currently absorbing internally through reallocation from other critical priorities.

A strong focus by senior management on priorities, risks and opportunities has enabled the Service to move forward in a strategic manner with its current limited resources. The development of a number of comprehensive business cases has defined more precisely the nature of the challenges while offering concrete proposals for addressing them. The Service is therefore well positioned to respond in a timely manner when the necessary resources become available.

Section III: Supplementary Information

Financial Highlights

The financial highlights presented within this document are intended to serve as a general overview of the Service's financial position and operations.

($ Thousands)

Condensed Statement of Financial Position At end of Fiscal Year (March 31, 2010)	% Change	2008–09	2009–10
ASSETS	27.8%	4,982	6,369
Total Assets	27.8%	4,982	6,369
TOTAL	**27.8%**	**4,982**	**6,369**
LIABILITIES	(7.0%)	23,587	21,932
Total Liabilities	**(7.0%)**	**23,587**	**21,932**
EQUITY	(16.4%)	(18,605)	(15,563)
Total Equity	**(16.4%)**	**(18,605)**	**(15,563)**
TOTAL	**27.8%**	**4,982**	**6,369**

Total assets increased in 2009-2010 due primarily to the establishment of a work-in-progress account for leasehold improvements of court facilities. It should also be noted that there was a decrease in the receivable associated with the Employment Insurance Cost Recoveries Account.

Total liabilities decreased in 2009-2010 relative to 2008-2009 as a result of the Service establishing accrued liabilities in 2008-2009 for the costs associated with collective bargaining.

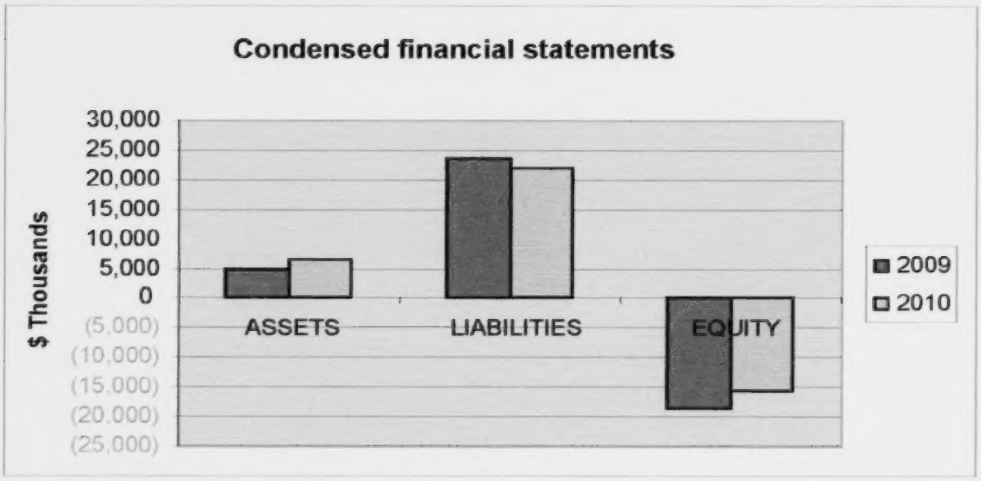
($ Thousands)

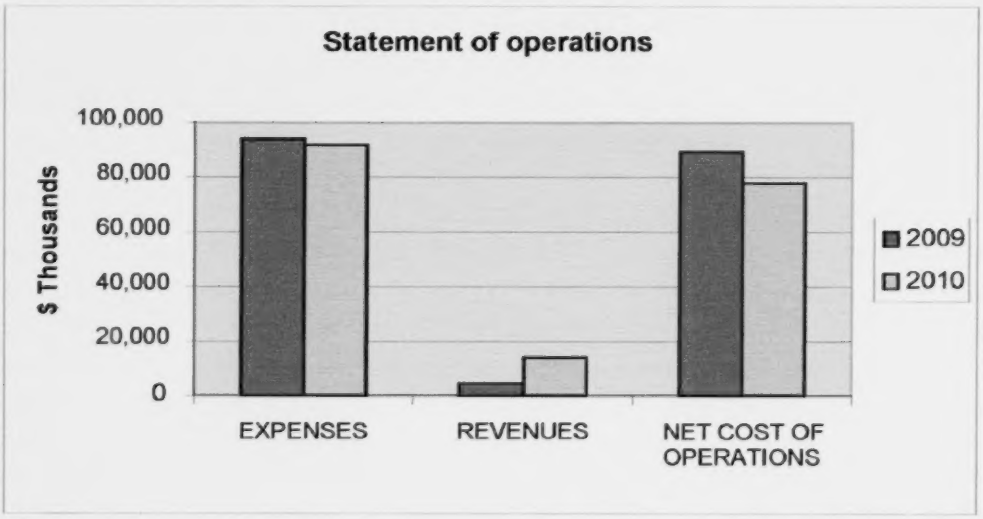
Condensed Statement of Financial Operations At end of Fiscal Year (March 31, 2010)	% Change	2008–09	2009–10
EXPENSES	(2.1%)	93,733	91,723
Total Expenses	(2.1%)	**93,733**	**91,723**
REVENUES	214.8%	4,369	13,753
Total Revenues	214.8%	**4,369**	**13,753**
NET COST OF OPERATIONS	(12.8%)	**89,364**	**77,970**

Total expenses decreased in 2009-2010 due primarily to a decrease in costs associated with Repairs and Maintenance. In 2008-2009 the Service had absorbed significant costs associated with the Repairs and Maintenance of existing accommodations.

Total revenues increased in 2009-2010 as a result of an increase in fine revenue of approximately $10M. The Service has no control over court fines, as they are imposed by the judiciary. The total amount of fines collected is entirely dependent on the cases being brought before the judiciary.

Financial Highlights Charts/Graphs





Financial Statements

The Service's financial statements can be found at: http://cas-ncr-nter03.cas-satj.gc.ca/portal/page/portal/CAS/DPR-RMR_eng/DPR-RMR-2009-2010-detail_eng

Supplementary Information Tables

All electronic supplementary information tables found in the 2009 2010 Departmental Performance Report can be found on the Treasury Board of Canada Secretariat's website at: http://www.tbs-sct.gc.ca/dpr-rmr/2009-2010/index-eng.asp.

Table: Sources of Respendable and Non-Respendable Revenue

Other Items of Interest

Travel, Hospitality and Conference Fees Budget restrictions as announced in the 2009 Federal Budget

Notwithstanding that the Service (like other organizations directly supporting the judiciary) received an exemption from the government spending restriction on travel, hospitality and conferences, it was decided to respect the spending restrictions during this difficult economic period and the Service reduced its overall expenditures in these areas by 16% as compared to their 2008-2009 level.